

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

CHRISTOPHER MICHAEL HALE,

Plaintiff,

v.

No. 11-cv-0128 RB/SMV

THE GEO GROUP, INC.;
NEW MEXICO CORRS. DEP'T;
ISSAC GUERRA, Captain;
GREGORY MITCHELL, Captain;
TOM PERRY, Sergeant;
RUSSELL HONEA, Corrections Officer;
SAMUEL CHRISTIE, Corrections Officer;
PHIL ARAGON, Captain;
JESSICA VIGIL, Lieutenant;
DAVID N. Eastridge, Corrections Officer;
TOMMY ARCHULETA, Corrections Officer; and
ROBERT FELIX, Corrections Officer;

Defendants.

ORDER GRANTING IN PART AND DENYING IN PART
PLAINTIFF'S MOTIONS TO RESEND DOCUMENTS

THIS MATTER is before the Court on two of Plaintiff's Motions [Docs. 167 and 174] ("First Motion" and "Second Motion," respectively). The Motions request that certain documents be resent to Plaintiff. The First Motion further requests that Patrick D. Allen, counsel for Defendants, and Defendant GEO Group be sanctioned for withholding information from the Court that they had an alleged duty to disclose. No response has been filed to the Motions, nor is one needed. The Court will grant the Motions to the extent they request that documents be resent to Plaintiff, but deny them to the extent that they request sanctions because the sanctions are unwarranted.

First, Plaintiff requests that the Court resend certain documents to him. He asserts that he has not received copies of [Docs. 161, 162, 163, 164, 167, 168, 169, 170, and 171]. First Motion [Doc. 167] at 1; Second Motion [Doc. 174] at 2. He filed notices of change of address shortly after those documents were mailed to him. [Notice of New Address] [Doc. 165]; [Notice of Change of Address] [Doc. 173]. Plaintiff now asks that the Court resend the documents that he did not receive and that he be granted 14 days to file responses to them. First Motion [Doc. 167] at 1, 2. Second, Plaintiff asks that the Court sanction Mr. Allen and Defendant GEO Group for failing to execute their alleged duty to disclose location information about the Defendants that would have aided the Court in issuing summonses to and effecting service on those Defendants. *Id.* at 2–3.

The Court finds that the Motions should be granted to the extent that Plaintiff requests that [Docs. 161, 162, 163, 164, 167, 168, 169, 170, and 171] be resent to Plaintiff at his most current address. Plaintiff is nonetheless reminded that he has a continuing obligation to inform the Court of any changes of address, an obligation that helps ensure that he receive all documents filed in his case. D.N.M.LR-Civ. 83.6. Moreover, as the documents require no response or reply from Plaintiff beyond those already filed, the Court will deny Plaintiff's request for additional time to respond or reply to them.

The Court will also deny Plaintiff's request for sanctions. Neither the GEO Group nor counsel for Defendants was under any obligation to disclose Defendants' addresses to the Court. Rather, it is Plaintiff's responsibility to provide the Court with Defendants' addresses. *See Caldwell v. Martin*, Nos. 95-6101, 95-6381, 1996 WL 731253, at *1–2 (10th Cir. Dec. 20, 1996) (unpublished) (affirming dismissal of defendants who had not been served because plaintiff, who

was proceeding pro se and *in forma pauperis*, failed to provide current addresses for them). The Court will therefore deny his request for sanctions, as his argument in support thereof is meritless.

IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED that:

- (I) Plaintiff's First Motion [Doc. 167] and Second Motion [Doc. 174] are **GRANTED IN PART and DENIED IN PART**;
- (II) The Clerk of the Court is directed to mail copies of [Docs. 161, 162, 163, 164, 167, 168, 169, 170, and 171] to Plaintiff's most recent address;
- (III) Plaintiff's request for additional time to respond or reply to the missing documents is **DENIED**. Plaintiff shall file no responses or replies to the documents that are mailed to him by operation of this Order; and
- (IV) Plaintiff's request for sanctions is **DENIED**.

IT IS SO ORDERED.



STEPHAN M. VIDMAR
United States Magistrate Judge